



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: JULY 11, 2005

III.2
ITEM NUMBER:

SUBJECT: ONE-YEAR TIME EXTENSION FOR PLANNING APPLICATION PA-04-13
180 EAST 22ND STREET

DATE: JUNE 30, 2005

FOR FURTHER INFORMATION CONTACT: WENDY SHIH, ASSOCIATE PLANNER (714) 754-5636

PROJECT DESCRIPTION

The applicant requests a one-year extension of time for a project approved by Planning Commission for a new, two-bedroom dwelling unit above a new garage behind an existing residence.

APPLICANT

The applicant is Dana Somsel, representing Irene Brogan, the property owner.

RECOMMENDATION

Approve by adoption of Planning Commission resolution, subject to conditions.



WENDY SHIH
Associate Planner



R. MICHAEL ROBINSON, AICP
Asst. Development Services Director

PLANNING APPLICATION SUMMARY

Location: 180 22nd Street Application: PA-04-13

Request: One-year extension of time for a minor design review to construct a new, two-bedroom dwelling unit above a new garage with a variance from driveway parkway landscaping requirements.

SUBJECT PROPERTY:

Zone: R2-MD
 General Plan: Medium Density Residential
 Lot Dimensions: 60 ft. by 137 ft.
 Lot Area: 8,325 sq.ft.
 Existing Development: Two-bedroom, single-story, single family residence

SURROUNDING PROPERTY:

North: All surrounding properties
 South: are residentially-
 East: zoned and
 West: developed.

DEVELOPMENT STANDARD COMPARISON

<u>Development Standard</u>	<u>Code Requirement</u>	<u>Proposed/Provided</u>
Lot size:		
Lot width	100 ft.	60 ft. ¹
Lot area	12,000 sq.ft.	8,325 sq.ft. ¹
Density: Zone/GP	1 du/3,630 sq.ft.	1 du/4,162.5 sq.ft.
Building coverage:		
Buildings		28% (2,313 sq.ft.)
Paving		32% (2,667 sq.ft.)
Open Space	40% (3,330 sq.ft.)	40% (3,345 sq.ft.)
TOTAL		100% (8,325 sq.ft.)
Building Height: -- building	2 stories/27 ft.	2 stories/22 ft.
Setbacks:		
Front	20 ft.	22 ft.
Side (left/right) -- 1st story	5 ft./5 ft.	5 ft./32 ft.
Side (left/right) -- 2nd story ²	10 ft. avg./10 ft. avg.	10 ft. avg./30 ft. avg.
Rear -- structure	20 ft.	20 ft.
Rear -- staircase	17.5 ft.	17.5 ft.
Ratio of second floor to first floor: ²	1,044 sq.ft. x 80% = 835 sq.ft.	80% (837 sq.ft.)
Parking:		
Covered	2	4
Open	3	1
Guest	1	1
TOTAL	6	6
Driveway width:	16 ft.	16 ft.
Landscape prkwys. -- private sts./drives:	3 ft. min./5 ft. min. next to house/10 ft. combined	3 ft. next to house; 6.5 ft. combined

¹ Legal, nonconforming.

² Residential Design Guideline

CEQA Status Exempt, Class 3
 Final Action Planning Commission

BACKGROUND

On June 14, 2004, the Planning Commission approved a minor design review to construct a new, two-bedroom dwelling unit above a new garage behind an existing residence, with a variance from driveway parkway landscaping requirements. Project approval is valid for one year unless building permits are obtained or the applicant requests an extension of time. Since building permits were not obtained prior to the expiration of the project, the applicant requests an extension of time.

ANALYSIS

The project is currently in plan check. The applicant is working on corrections as required by various City departments. Since building permits were not obtained prior to the one-year time limit, Code allows the final review authority (Planning Commission) to extend a planning application for successive periods of one year upon showing of good cause by the applicant (Sec. 13-29 (k)(2)(b)).

The original approval included a variance from driveway parkway landscaping (10 feet combined, 5 feet on house side required; 6.5 feet combined, 3 feet on house side proposed). Planning Commission felt the shorter depth of this lot, and the resultant shorter length of the driveway, reduces the visual impact the driveway will have, and granting a deviation from the parkway landscaping requirements will allow the retention of a 16-foot driveway width, which is necessary to provide adequate on-site circulation. The project still meets all residential design guidelines and all development standards for the residential zone are unchanged since this project was approved.

The original staff report for the June 14, 2004, meeting is attached for reference.

ALTERNATIVES

The garage and second unit could not be built if the requested extension of time is denied.

CONCLUSION

The proposed construction complies with the intent of the City's code requirements. Applicable code sections have not changed since Planning Commission approved the project last year. Therefore, staff recommends approval of the extension of time.

Attachments: Draft Planning Commission Resolution
 Exhibit "A" – Findings adopted for PA-04-13
 Exhibit "B" – Conditions of approval adopted for PA-04-13
 Time Extension Request
 Original Planning Staff Report
 Zoning/Location Map
 Plans and Photos

cc: Deputy City Manager - Dev. Svs. Director
Assistant City Attorney
City Engineer
Fire Protection Analyst
Staff (4)
File (2)

Robert C. Beck
180 East 22nd Street
Costa Mesa, CA 92627

Irene Brogan
1970 Spyglass Cir.
Vista, CA 92083

Dana Somsel
22 Finca
San Clemente, CA 92672

File: 071105PA0413TimeExt	Date: 062805	Time: 10:00a.m.
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RESOLUTION NO. PC-05-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA APPROVING A ONE-YEAR TIME
EXTENSION FOR PLANNING APPLICATION PA-04-13**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY
RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Dana Somsel, authorized agent for Irene Brogan, with respect to the real property located at 180 East 22nd Street, requesting an extension of time for a minor design review to construct a new 837 square foot second dwelling unit above a new, 1,044 square foot four-car garage behind an existing dwelling unit with a variance to deviate from required driveway landscaping (10 feet combined, 5 feet on house side required; 6.5 feet combined, 3 feet on house side proposed); and,

WHEREAS, a duly noticed public hearing was held by the Planning Commission on July 11, 2005.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the Planning Commission hereby **APPROVES** the extension of time to June 14, 2006, for Planning Application PA-04-13 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this resolution is expressly predicated upon the activity as described in the staff report for Planning Application PA-4-13 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 11th day of July, 2005.

Chair, Costa Mesa
Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, R. Michael Robinson, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on July 11, 2005, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Secretary, Costa Mesa
Planning Commission

EXHIBIT "A"**FINDINGS**

- A. The information presented substantially complies with section 13-29(g)(1) of the Costa Mesa Municipal Code in that, because of special circumstances applicable to the property, strict application of the zoning ordinance would deprive the property owner of privileges enjoyed by other property owners in the vicinity under identical zoning classification. Specifically, the existing house precludes providing both the required minimum driveway width and the driveway parkway landscaping. The original intent of the driveway landscaping was to provide visual relief for driveways serving common interest developments, where driveways are often longer. The shorter depth of this lot, and the resultant shorter length of the driveway, reduces the visual impact the driveway will have. Granting of the variance will allow the retention of a 16-foot driveway width which is necessary to provide adequate on-site circulation. The deviation granted is the minimum necessary to accommodate the proposed development and does not constitute a grant of special privileges inconsistent with the limitation upon other properties in the vicinity and zone in which the property is located.

- B. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(14) in that the project complies with the City of Costa mesa Zoning Code and meets the purpose and intent of the Residential Design Guidelines, which are intended to promote design excellence in new residential construction, with consideration being given to compatibility with the established residential community. This minor design review includes site planning, preservation of overall open space, landscaping, appearance, mass and scale of structures, location of windows, varied roof forms and roof plane breaks, and any other applicable design features. Specifically, architectural articulation is provided through a variety of wall and roof planes. The second floor ratio to the first floor and the average setback of the second floor satisfy the City's residential design guidelines.

- C. The proposed project complies with Costa Mesa Municipal Code Section 13-29 (e) because:
 - a. The proposed development and use is compatible and harmonious with uses both on-site as well as those on surrounding properties.
 - b. Safety and compatibility of the design of the buildings, parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
 - c. The project is consistent with the General Plan.
 - d. The planning application is for a project-specific case and does not establish a precedent for future development.
 - e. The cumulative effects of all planning applications have been considered.

- D. The project has been reviewed for compliance with the California

Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA.

- E. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT "B"**CONDITIONS OF APPROVAL**

- Plng. 1. The staircase and landing at the rear of the new unit shall maintain a minimum 10-foot left side setback. Additionally, a privacy screen, a minimum 6 feet in height, shall be provided on the left side of the landing, under the direction of the Planning staff.
2. Address assignment shall be requested from the Planning Division prior to submittal of working drawings for plan check. The approved address of individual units, suites, buildings, etc., shall be blueprinted on the site plan and on all floor plans in the working drawings.
3. To avoid an alley-like appearance, the driveway shall be developed without a center swale. Design shall be approved by the Planning Division.
4. All new and existing construction shall be architecturally compatible with regard to building materials, style, colors, etc. Plans submitted for plan check shall indicate how this will be accomplished.
5. The applicant is recommended to contact Comcast (cable television) at 200 Paularino, Costa Mesa, (888.255.5789) prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
6. The conditions of approval and ordinance or code provisions and special district requirements of Planning Application PA-04-13 shall be blueprinted on the face of the site plan.
7. Grading, materials delivery, equipment operation, and other construction-related activity shall be limited to between the hours of 7 a.m. and 8 p.m., Monday through Friday, and 8 a.m. to 6 p.m. Saturday. Construction is prohibited on Sundays and federal holidays. Exceptions may be made for activities that will not generate noise audible from off-site, such as painting and other quiet interior work.
8. The applicant shall contact the Planning Division to arrange for an inspection of the site prior to final building inspections. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
9. The applicant shall work with the Building Division to reactivate and final the expired building permits existing for the property prior to the release of the building permits for the new unit.
10. All garages shall be provided with automatic garage door openers.
- Eng. 11. Maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and remove any spillage from the public right-of-way by sweeping or sprinkling.

Submitted to the Costa Mesa City Department of Building Permits.

We the owners of 180, 22nd street in Costa Mesa respectfully request a time extension for or building project. We are new to building and have had "Learning Experiences" with contractors and engineers. We also don't want to rush and build an eyesore.

We have already submitted plans and I understand are close to approval. A short extension should allow us to finish plans and start a project that will be an asset to both our family and the City.

Rob Beck
Agent for the Irene Beck-Brogan Trust

Rob Beck

6/6/05



CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

DEVELOPMENT SERVICES DEPARTMENT

**FOR ATTACHMENTS NOT INCLUDED IN THIS REPORT,
PLEASE CONTACT THE PLANNING DIV. AT (714)754-5245.**